

CUSTOMER NO.: 38107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	Examiner: S. NAQI
S. BREUER)	
)	Art Unit: 3736
Serial No.: 10/541,560)	
)	Confirmation: 5826
Filed: July 6, 2005)	
)	
For: METHOD AND)	
APPARATUS FOR)	
COMMUNICATING)	
WITH A MEDICAL)	
DEVICE)	
)	
Date of Last Office Action:)	
March 21, 2008)	
)	
Attorney Docket No.:)	Cleveland, OH 44114
PHDE030002US / PKRZ 2 01232)	April 16, 2008

ELECTION

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Election of Species Requirement of March 21, 2008.

The applicant elects species 2, in which the means for recognizing includes a software routine.

The applicant notes that the Examiner has held that the elected software routine is patentably distinct and inventive over the non-elected mechanical switch and magnetic switch species.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I certify that this ELECTION is being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).

April 18, 2008
Date

Patricia A. Heim
Patricia A. Heim

DEPOSIT ACCOUNT

The Patent Office is authorized to charge any fees associated with this filing to our deposit account no. 14-1270

Thomas M. Lundin
Thomas M. Lundin, Reg. No. 48,979